

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No. 1:22-cv-24066-KMM

GRACE, INC., et al.,
Plaintiffs,
vs.
CITY OF MIAMI,
Defendant.

_____ /

333 SE 2nd Avenue
Suite 3200
Miami, Florida
Thursday, October 5, 2023
9:08 a.m. - 11:44 a.m.

DEPOSITION OF DANIELLA PIERRE

Taken before IVETTE OVIEDO, RPR and Notary
Public For the State of Florida at Large, pursuant to
Defendant's Notice of Taking Rule 30(b)(6) Deposition
filed in the above cause.

1 APPEARANCES:

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1 Thereupon:

2 DANIELLA PIERRE

3 was called as a witness and, having been first duly
4 sworn, was examined and testified on her oath as follows:

5 DIRECT EXAMINATION

6 BY MR. JOHNSON:

7 Q Good morning.

8 A Good morning.

9 Q My name is Chris Johnson. I'm taking your
10 deposition. I represent the City of Miami. Would you
11 please state your name for the record?

12 A Daniella Pierre.

13 Q And what's your date of birth?

14 A [REDACTED].

15 Q And what is your current residential
16 address?

17 A 7151 Northwest 14 Place, Apartment 105,
18 Miami, Florida, 33147.

19 Q You say every number distinctly like you are
20 X military. That is in the City of Miami?

21 A No.

22 Q Is that unincorporated date?

23 A That is unincorporated Miami-Dade County.

24 Q Have you ever been deposed before?

25 A Let me check.

1 MS. McNAMARA: Same as this.

2 THE WITNESS: No.

3 BY MR. JOHNSON:

4 Q So I will just go over a few ground rules.
5 If you have any questions, ask me. Everything is being
6 taken stenographically, so I'm going to ask questions and
7 then you answer. A lot of times when you we have a
8 conversation we tend to talk over each other a little
9 bit, but she can't take us both if we talking over each
10 other. Every answer has to be verbal. She can't take
11 down a head nod or affirmative or negative noise like a
12 uh-huh or an uh-uh. So we have to make sure everything
13 is actually a spoken verbal cue and there will be times
14 where I'll ask you the same question again for that
15 reason just to make sure the record is clear. Okay?

16 A Yes.

17 Q If you have any questions about my question
18 or you don't understand, just ask me to clarify. If you
19 answer, I'll assume you understood it. Is that fair?

20 A Fair.

21 Q If you need a break any time you want,
22 that's fine. I only ask that we don't have a pending
23 question. So we will finish the answer or whatever we
24 are doing and then take a break.

25 A Understood.

1 Q Are you currently taking any medications
2 that may affect your ability to testify?

3 A No.

4 Q Do you have any medical condition that may
5 affect your ability to testify?

6 A No.

7 Q Did you prepare for this deposition today?
8 So I'm not going to ask you about conversations you had
9 with your counsel. So things you actually spoke to your
10 counsel about, whatnot, I'm not asking you those. I'm
11 asking if you met with someone without getting into the
12 substance with regard who people who aren't your counsel,
13 I will ask you those questions. So this is just yes or
14 no. Did you prepare for this deposition today?

15 A Yes.

16 Q Did you review any documents in preparation
17 for this deposition?

18 A The notice.

19 Q Anything else besides the notice? Did you
20 review any pleadings or any papers filed in this case?

21 A No.

22 Q And remember you have to let me finish the
23 question before you answer, otherwise, she can't take it.

24 Other than your counsel, did you speak with
25 anyone in preparation for this case?

1 A No.

2 Q Very briefly what's your educational
3 background?

4 A I have a Masters degree in Human Resources
5 Management.

6 Q And where is that from?

7 A Florida International University.

8 Q And what year?

9 A 2014.

10 Q You're undergraduate from FIU too?

11 A No. Union Institute and University.
12 Bachelors in Public Administration.

13 Q What year was that?

14 A 2011.

15 Q Are you currently employed?

16 A Yes.

17 Q Where?

18 A Miami-Dade College.

19 Q And in what capacity are you employed?

20 A I'm the Assistant Chair to the law center
21 full time.

22 Q What are your responsibilities?

23 A To recruit, help graduate the students,
24 promote the paralegal studies program and support the
25 department chair.

1 Q And how long have you been in that
2 position?

3 A Five months.

4 Q Prior to that, where were you employed?

5 A Miami-Dade County Public Schools.

6 Q In what capacity?

7 A Treasurer, school treasurer.

8 Q At what school?

9 A D.A. Dorsey Technical College, full time.

10 Q And how long were you there?

11 A A year.

12 Q Where were you before that?

13 A Miami-Dade College.

14 Q Okay. And what capacity?

15 A Academic Advisor.

16 Q For about how long?

17 A Nine years.

18 Q That pretty much covers it. Were you ever
19 terminated from any of these positions?

20 A No.

21 Q Have you ever been convicted of a crime?

22 A No.

23 Q Have you ever been charged with a crime?

24 A No.

25 Q I'm not asking about traffic or things like

1 that. Are you registered to vote?

2 A Yes.

3 Q And so I guess you haven't -- have you ever
4 lived in the City of Miami?

5 A No. Correction. Yes.

6 Q When did you live in the City of Miami?

7 A Just probably like ten years ago.

8 Q Did you vote in any city elections back
9 then?

10 A I can't recall.

11 Q Do you vote in elections?

12 A Yes.

13 Q All of them?

14 A Yes.

15 Q Do you understand that you are being deposed
16 today in your capacity as the corporate representative
17 for the Miami-Dade Branch of the NAACP?

18 A Yes.

19 Q And are you authorized to speak on behalf of
20 the Miami-Dade branch NAACP?

21 A Yes.

22 Q And you understand in that capacity you are
23 one of the plaintiffs in this action?

24 A Yes.

25 Q So when was the Miami-Dade branch of the

1 NAACP founded?

2 A 1983.

3 Q And how long have you been a member of the
4 NAACP?

5 A 12 years.

6 Q And in what capacity are you in the NAACP?
7 Are you an officer or member or what's your role within
8 the NAACP of Miami-Dade County?

9 A I'm an elected officer.

10 Q And what's your title?

11 A President. Branch President.

12 Q And how long have you been Branch
13 President?

14 A This is going into my third year.

15 Q How is the Miami-Dade branch related to the
16 national NAACP?

17 A We are an authorized and chartered branch of
18 the national association.

19 Q It's not a separate corporate entity though,
20 is it?

21 A No.

22 Q Do you know what kind of organization it is
23 for tax purposes, 501(c)?

24 A The national is 501(c)(3) and branches are
25 501(c)(4).

1 Q They file separate returns?

2 A All the branches report to the NAACP.

3 Q They file consolidated returns?

4 A Correct.

5 Q So how did the Miami-Dade branch of the
6 NAACP decide to sue. Did it have to get authorization
7 from the national branch?

8 A Yes.

9 Q And what does that process entail?

10 A The process entails one getting approved at
11 the Florida State conference level. From the Florida
12 State conference level it then moves to the general
13 counsel of the NAACP for their review, and once they
14 review it, they authorize branches to proceed or not.

15 Q And you went through that process and they
16 authorized it?

17 A Yes.

18 Q Is your position a paid position?

19 A No.

20 Q And what's the location of the Miami-Dade
21 branch of the NAACP?

22 A We don't have a physical location. We have
23 a P.O. Box, so people contact us by way of mail, P.O. Box
24 315, Opa-Locka, Florida, 33054.

25 Q So does this Miami-Dade branch of the NAACP

1 have it's own board of directors?

2 A So we have an executive committee. The
3 board of directors sits at the national level.

4 Q Is there anybody in the Miami-Dade branch of
5 the NAACP that's on the board of the directors at the
6 national level?

7 A No.

8 Q So what's the mission of the Miami-Dade
9 branch of the NAACP?

10 A To achieve equity and equality of rights for
11 Black people and all persons of color.

12 Q Is that different than the national branch's
13 mission?

14 A No. It's aligned. It's not verbatim, but
15 it's aligned.

16 Q So how do you become a member of the
17 Miami-Dade branch of the NAACP?

18 A Great question. And I have a membership
19 application for you. You could join by way of going on
20 our website. You can join by way of paper application
21 and you can also join by visiting the national website at
22 NAACP.org/membership, and then once you put your address
23 in, it will direct you to the Miami-Dade branch.

24 Q So you basically become a member of the
25 national NAACP and then you are assigned to a local

1 branch; is that how it works?

2 A No. If you don't select Miami-Dade branch
3 or if you don't select a branch, then, yes, you are a
4 member at large of national. But if you select
5 Miami-Dade branch by way of your address, then you are a
6 member of the Miami-Dade branch.

7 Q Does the membership then -- is that all
8 organized and done all through the national level then?

9 A Yes.

10 Q Do you maintain a list of the members of the
11 Miami-Dade branch of the NAACP?

12 A Yes. So it's all housed by way of the
13 national sales force portal and branches have access to
14 navigate their members through that portal. We are
15 assigned a unit number and that's how we connect and
16 reach out to our membership.

17 Q Do you know how often that's updated that
18 list?

19 A Monthly.

20 Q Is there a difference between volunteers or
21 members? Do you have volunteers, in other words, who are
22 not members?

23 A Can you clarify?

24 Q So do you have people who volunteer and do
25 work for the Miami-Dade branch of the NAACP who are not

1 members of the NAACP?

2 A Yes.

3 Q And how does that come about?

4 A Sometimes we have volunteers who help us
5 with election readiness, so they will help us in that
6 regard where it's promoting, you know, things relating to
7 elections and voting. Sometimes those are just
8 volunteers. But all members of the NAACP branches, all
9 branch members are volunteers.

10 Q But not all volunteers are branch members?

11 A Correct.

12 Q Are you required to volunteer a certain
13 amount of time in order to maintain your membership?

14 A No, but that's a good idea.

15 Q So how do you get the volunteers if they
16 don't go through the membership process?

17 A How do we get the volunteers for election
18 readiness.

19 Q Yeah, for example.

20 A Social media promotion. Word of mouth. Our
21 different networks and just seeing all what's going on in
22 the community. People often times looking to
23 volunteer.

24 Q Okay. Do you maintain a list of
25 volunteers?

1 A Yes.

2 Q Is that maintained at the national level or
3 local level?

4 A So the list of volunteers are generally
5 maintained by the committee chairs. So, yes.

6 Q So you'd have like an election readiness
7 committee and they would have their volunteers that
8 they'd go to when they need to staff up for an election,
9 for example?

10 A Yes.

11 Q Are there other committees that maintain
12 lists of volunteers?

13 A Yes. We have other committees. Our
14 education committee would have volunteers. Our youth
15 counsel. Generally the committees, you know, have a
16 group of volunteers that are either members or just
17 volunteers.

18 Q Does the Miami-Dade branch of the NAACP know
19 the residential addresses of its members?

20 A I mean, yes. By way of the membership
21 portal yes.

22 Q So the residential address, is that
23 maintained for every member?

24 A Yes.

25 Q Do you know how often it's updated?

1 A Monthly.

2 Q That's right, but do you know how often
3 members are required to update their information or is
4 that completely up to them?

5 A They can do it at the time of change of
6 address, time of renewal, or whenever they need to update
7 their address or contact information.

8 Q Is there a requirement that they update it
9 or can they just have all the information there if they
10 don't get around to it?

11 A Yeah. So if they are a life member, meaning
12 they have paid their full membership and they, you know,
13 just haven't moved or anything, then that information
14 will just stay there. But if they are an annual member
15 and if they don't update, then that's the only
16 information that we would have unless they renew and
17 provide an updated information.

18 Q You remind me of the organizations I'm a
19 life member of.

20 Does the Miami-Dade branch of the NAACP have
21 any members that live in the City of Miami District 1?

22 A We have members all across our jurisdiction,
23 which is from Countyline Road to north of Flagler.

24 Q Okay. And then South of Flagler; is that
25 the jurisdiction of the South Dade branch of the NAACP?

1 A Yes.

2 Q So I was asking you about specific
3 jurisdictions. So with regard to City of Miami District
4 1, HOW do you know that you have members that reside
5 within that district?

6 A We would confirm by way of membership
7 portal, you know, members letting us know.

8 Q For this litigation, did you check the
9 membership portal to see if you had members within
10 District 1?

11 A I didn't personally check it, no.

12 Q Do you know if anyone at the Miami-Dade
13 branch of the NAACP checked that?

14 A No.

15 Q So how do you know that you have members
16 within District 1?

17 A Well, because we have members and
18 volunteers. By virtue, we are going to have members
19 within our jurisdiction.

20 Q So, for example, someone's a member or a
21 volunteer for the Miami-Dade branch of the NAACP with
22 regard to election readiness. They wouldn't necessarily
23 be limited to the district where they live; they could be
24 volunteering in any district?

25 A Correct.

1 Q You've got to let me finish the question
2 before you answer.

3 A Oh.

4 Q That's okay. All right. So the same --
5 probably run through this quick. Same question with
6 regard to District 2. Do you know if you have members of
7 the Miami-Dade branch that live within City of Miami
8 District 2?

9 A We have members throughout the
10 jurisdiction.

11 Q Okay. But did you check for this litigation
12 to see if you had any members within District 2?

13 A No.

14 Q Do you know if anyone at Miami-Dade branch
15 of the NAACP checked to see if the branch had members who
16 lived within District 2?

17 A No.

18 Q Same question with District 3. Do you
19 have -- and I was just thinking whether or not any of
20 District 3 is north of Flagler. So do you have any
21 members who live within District 3?

22 MS. McNAMARA: Objection to form. You may
23 answer.

24 THE WITNESS: Oh.

25 MS. McNAMARA: The question as posed, you

1 can answer it.

2 BY MR. JOHNSON:

3 Q Does the Miami-Dade branch of the NAACP have
4 any members who reside at District 3?

5 A We have volunteers throughout our
6 jurisdiction, volunteers and members.

7 Q So is it the same for 3, 4 and 5, that you
8 have volunteers throughout the jurisdiction, but you
9 didn't check personally for this litigation to confirm
10 that any live within those particular districts?

11 A Yes.

12 Q And you are not aware if anyone at the
13 Miami-Dade branch of the NAACP checked to confirm that
14 any members live within any of those districts?

15 A Yes.

16 Q Okay. Do you maintain records to which
17 members are registered to vote?

18 A Well, can you repeat the question?

19 Q Do you maintain -- so with regard to a
20 member, they put in information, right, about their,
21 like, name and address and that sort of thing. Do
22 members put in any kind of voter registration
23 information?

24 A On the membership application we ask are you
25 a registered voter, and it's by way of a yes or no

1 checkbox.

2 Q So that information is maintained then
3 through the portal?

4 A The membership application. So the paper,
5 the paper application is what is asking if you're a
6 registered voter. The online application is not there,
7 it's not there on the online one.

8 MR. JOHNSON: So we have got an
9 unconventional marking system here. So we are
10 marking them to correspond with their docket
11 entry. So we are going to go ahead and mark this
12 as Defendant's 23. Okay.

13 (Exhibit Number 23 was marked for
14 identification.)

15 MS. McNAMARA: And this is for the witness?

16 MR. JOHNSON: No.

17 MS. McNAMARA: This is my copy?

18 MR. JOHNSON: Correct.

19 BY MR. JOHNSON:

20 Q So I'm showing you what we have marked as
21 Defendants 23. It's a document in this case with the
22 same docket entry number, 23, titled First Amended
23 Complaint. Have you seen this document before?

24 A Yes. I've seen it.

25 Q And is this the First Amended Complaint in

1 this case. Is this the First Amended Complaint, the
2 operative complaint in this case?

3 A Yes.

4 Q This is just for the record. It's not meant
5 to be like a trick question. Did you review this before
6 it was filed?

7 A It was shared.

8 Q I'm not going to ask you about any
9 conversations you had with counsel. Did you review the
10 original Complaint, not the amended one, but the original
11 Complaint before it was filed in December of 2022?

12 A Not in its entirety, but it was shared.

13 Q Did anyone at the NAACP have to approve the
14 pleadings before they get filed?

15 A Yes.

16 Q And does that go to the national NAACP or is
17 that done lower level?

18 A It's done at the national level.

19 Q So the pleadings would then be submitted to
20 the national general counsel's office to review?

21 A Yes.

22 Q Do you know if that was done in this case?

23 A Yes.

24 Q Do you know who at national reviewed?

25 A The general counsel who was -- I mean, they

1 have a team of them, but this person would be Attorney
2 Anson Asaka.

3 Q Do you know how that's spelled?

4 A The last name A-s-k-a (sic). And at the
5 Florida State conference level, it would be attorney
6 Pamela Burch Fort.

7 Q And that would have been the same with
8 regard to all the pleadings in this case that they would
9 go to those people for review?

10 A Yes.

11 Q As you understand it, what is the basis for
12 the NAACP or the Miami-Dade branch of the NAACP suing the
13 City of Miami in this First Amended Complaint?

14 A As I understand it, the Miami-Dade branch
15 got involved in this process based on the -- the maps for
16 Coconut Grove.

17 Q Okay. And more specifically, what was the
18 issue with the maps in Coconut Grove?

19 A Based on the community concerns and our
20 responses, the commissioners were looking to separate the
21 Coconut Grove community, particularly the Black Grove.
22 They were looking to separate portions of the Coconut
23 Grove community.

24 Q So you are talking about the Black Grove.
25 Would that be sometimes called the West Grove?

1 A The west, correct.

2 Q And sometime referred to as the traditional
3 Bahamian community?

4 A Yes.

5 Q And this would have been back when they were
6 making the changes in 2022, correct?

7 A Yes.

8 Q And, in fact, you went to some of those
9 meetings in 2022, right?

10 A Yes.

11 Q As you understand it, in 2022, did the
12 historic Black Grove get separated from the rest of
13 Coconut Grove?

14 A Yes.

15 Q What part of the historic West Grove with
16 Black Grove got separated from the rest of Coconut
17 Grove?

18 A I don't know the streets, but I just know
19 parts of Coconut Grove got separated. I don't know the
20 streets.

21 Q Are you familiar with Coconut Grove?

22 A Kind of.

23 Q Was it that area that was on the northern
24 part of the west Grove, kind of near the Home Depot?

25 A Not certain.

1 Q So you are not that familiar with what areas
2 were split up. So then how do you know what area that
3 the west Grove -- well, okay.

4 Let me bring it back to you. So what part
5 of the Grove do you think was separated in 2022?

6 MS. McNAMARA: Objection to form.

7 MR. JOHNSON: As you would define it?

8 MS. McNAMARA: Objection to form. You can
9 answer. Unless I instruct you not to answer, you
10 can answer.

11 MR. JOHNSON: Your counsel makes some
12 objections for the record that would be ruled on
13 by the judge later. So, you know, I can clarify
14 the question. I'll even ask. What's your
15 objection?

16 MS. McNAMARA: Just as a compound question.
17 There's a number of points in it that it's not
18 clear what the question is.

19 MR. JOHNSON: And I can like rephrase the
20 question or whatnot.

21 If I ask you anything about conversation you
22 had with counsel, trust me, your counsel is going
23 to tell you not to answer.

24 MS. McNAMARA: Yes. That's why you hear the
25 question. You can give a couple of seconds. I

1 can just state "objection." Usually it's just a
2 question that is, you know, a lot of words and
3 it's not totally clear what the specific question
4 is, and so I just state that, but then you can
5 answer.

6 If they ask you something that I instruct
7 you not to answer, I will instruct you not to
8 answer.

9 MR. JOHNSON: Are you saying I ask sloppy
10 questions? A little bit. They are not that bad.

11 MS. McNAMARA: It comes with the
12 territory.

13 BY MR. JOHNSON:

14 Q So as you define it, what part of the Grove
15 was separated in 2022?

16 A I don't know the streets.

17 Q But you considered part of the Black
18 Grove?

19 A Yes.

20 Q Would you consider it part of the historic
21 Black Grove?

22 A Yes.

23 Q Why do you believe the historic part of
24 Black Grove was separated in 2022 if you are not quite
25 familiar with the streets?

1 A Well, based on my presence at the City
2 Commission meetings and based on the community concerns
3 and, you know, people speaking out about the separation.
4 That's why.

5 Q Do you understand that there was an original
6 plan that was going to separate a big chunk of the west
7 Grove and changed it and moved it further to the east?

8 A I do recall there were some changes.

9 Q Do you know whether or not those changes
10 addressed that concern about separating the historic west
11 Grove from the rest of Coconut Grove?

12 A Not certain.

13 Q So how do you know if it happened or not?

14 A Because residents still seem to be
15 disgruntled about the maps that the City put forth.

16 Q Okay. Fair to say that the people were
17 disgruntled for different kinds of reasons?

18 A Absolutely.

19 Q I'm just really focused on whether or not
20 the historic Black Grove was actually separated from the
21 rest of the Grove in the 2022 map? In fact, let's bring
22 in the 2022 map. That might be easier. Let's see if
23 that helps.

24 MR. JOHNSON: We are going to mark that as
25 Defendant's 24-83.

1 (Exhibit Number 24-83 was marked for
2 identification.)

3 BY MR. JOHNSON:

4 Q I'm showing you what's been marked as
5 Defendant's 24-83, a document from this case with the
6 same docket entry number. It's titled 2022 Enacted Plan.
7 Do you recognize this map?

8 A No. Uh-uh.

9 Q Do you have any understanding as to whether
10 or not this was the map that the Miami-Dade branch of the
11 NAACP sued to challenge? And if you don't, I mean, I'm
12 asking you just your knowledge?

13 A No.

14 Q Okay. Do you see -- I understand that you
15 are not sure which map this is. I'm just going to ask
16 you some specific questions about it. You see the little
17 orange triangle District 4 that jets into Coconut Grove
18 across US-1?

19 MS. McNAMARA: Objection to form.

20 BY MR. JOHNSON:

21 Q That little triangle between the area marked
22 as Golden Pines and Coconut Grove. Do you see that
23 triangle?

24 A Yes. Here?

25 Q Yes. Correct. Is it your understanding

1 that that triangle there is part of the historic Black
2 West Grove?

3 A I'm not certain.

4 MR. JOHNSON: Okay. That's fair. Go ahead
5 and mark D-109.

6 (Exhibit D-109 was marked for
7 identification.)

8 BY MR. JOHNSON:

9 Q I'm showing you what's been marked as
10 Defendant's Exhibit 109. It's a document from this case
11 with the same documentary number titled Supplemental
12 Complaint. Do you recognize this document?

13 A Yes.

14 Q Was this the Supplemental Complaint filed in
15 this action last month? Date's at the top.

16 A Yes.

17 Q Okay. And with regard to the same as the
18 earlier pleadings I was asking you about, that this would
19 have gone through approval at the state and national
20 level for the same two attorneys you mentioned earlier?

21 A Yes.

22 Q Did you review this before it was filed or
23 did they just review it?

24 A It would have been reviewed at that level.

25 Q You understand -- to your understanding,

1 what is the NAACP of Miami-Dade suing for with regard to
2 this Supplemental Complaint? In other words, what's it
3 issue here versus on the amended complaint? I mean, I
4 don't want to rush you. You can take as much time as
5 you'd like to review the exhibit. I'm just asking you
6 what's the difference in the Complaint, your
7 understanding of what's the difference in the Complaint,
8 if you have one.

9 MR. JOHNSON: Off the record.

10 (Discussion off the record.)

11 THE WITNESS: Can you restate the question.

12 MR. JOHNSON: Could you repeat the question?

13 (Record read.)

14 BY MR. JOHNSON:

15 Q Between the Supplemental Complaint and the
16 Amended Complaint?

17 A The Supplemental Complaint appears to
18 support what was in the first. It's to address the
19 ongoing lines.

20 Q But do you understand what the difference
21 is, why the Supplemental Complaint was filed?

22 A To add more information.

23 Q Let me go ahead and go back to what we
24 marked as 24-83, the map. I know you didn't recognize
25 this map, but sitting here now, do you have any objection

1 with how this map is configured?

2 Your counsel can't instruct you on how to
3 answer the questions. Your counsel can instruct you not
4 to answer if it's privileged, but couldn't coach you in
5 what the answer should be. So I'm just asking your
6 understanding. Do you have any objection to this map,
7 and, if so, what would that be?

8 MS. McNAMARA: If you don't know the answer
9 to the question, you can express that you don't
10 know the answer to the question.

11 THE WITNESS: Okay. Don't know the
12 answer.

13 BY MR. JOHNSON:

14 Q Okay. So you don't know if you have an
15 objection to this particular map?

16 A Correct.

17 (Exhibit D-82-24 was marked for
18 identification.)

19 BY MR. JOHNSON:

20 Q I'm showing you Defendant's Exhibit 82-24, a
21 document from this case with the same docket entry number
22 titled Resolution 23-271. Do you recognize this map?

23 A No.

24 Q Okay. Looking at it now, do you have any
25 specific objection to how this map is configured?

1 A Don't know the answer.

2 Q Okay. We have a few more maps to run
3 through.

4 A Okay.

5 (Exhibit D-82-34 was marked for
6 identification.)

7 BY MR. JOHNSON:

8 Q I'm showing you what's been marked as
9 Defendant's Exhibit 82-34. It's a docket from this case
10 with the same documentary number titled P1 - Plaintiff's
11 Map 1. Do you recognize this document?

12 A Yes.

13 Q And what is this document?

14 A This is the map that took out Overtown.
15 Yes. I recognize this one.

16 Q Do you have any objection to this map?

17 A Yes.

18 Q And what's the objection?

19 A That it seemed to have portions of Overtown
20 outside of the D-5, district 5.

21 Q Any other objections to this map that you
22 know of?

23 A That's it.

24 Q Okay. Did you have any involvement in
25 drawing this map?

1 A No.

2 Q Do you know who did?

3 A No.

4 (Exhibit D-82-35 was marked for
5 identification.)

6 BY MR. JOHNSON:

7 Q I'm showing you what's been marked as
8 Defendant's Exhibit 82-35, a document from this case with
9 the same docket entry number titled P2 - Plaintiffs' Map
10 2. Do you recognize this document?

11 A Yes.

12 Q And what's this?

13 A A map that included additional area of
14 Overtown.

15 Q Do you have any objection to this map?

16 A Yes.

17 Q And what's the objection?

18 A Some of Overtown is still outside of
19 District 5.

20 Q Is that the western part of Overtown?

21 A Yes.

22 Q Did you have any involvement in drawing this
23 map?

24 A No.

25 Q Do you know who did?

1 A No.

2 (Exhibit D-82-36 was marked for
3 identification.)

4 BY MR. JOHNSON:

5 Q I'm showing you what's been marked as
6 Defendant's 82-36, a document from this case with the
7 same docket entry number, titled P3 - Plaintiffs' Map 3.
8 Do you recognize this document?

9 A Yes.

10 Q And what's this document?

11 A Another map submitted.

12 Q Do you have any objection to this map?

13 A No.

14 Q To your understanding, does this map include
15 Overtown and District 5?

16 A Some parts of overtime are included.

17 Q Are some excluded?

18 A Small portion, yes.

19 Q But you are okay with those portions being
20 excluded; is that correct?

21 A No.

22 Q So you don't think those portions should be
23 excluded in this map?

24 A Shouldn't be excluded.

25 Q Okay. So is it fair to say you think

1 Overtown should be included within District 5?

2 A Yes.

3 Q And that's the NAACP's position?

4 A Yes.

5 Q When I say "you," because you are here as a
6 representative for the NAACP of Miami-Dade County, that's
7 the capacity I'm asking these questions.

8 A Yes.

9 Q Why do you think Overtown should be included
10 within District 5?

11 A Based on its historic development and the
12 people that make up the area and just the history behind
13 Overtown that it should be a part of District 5.

14 Q Does Overtown have specific borders?

15 A Yes.

16 Q Okay. How are those defined?

17 A Sometimes by the apartments. You got like
18 The Swamps. You got different names of the community
19 within Overtown.

20 Q So like, for example, where's the Swamps?
21 Where is the Swamp located at approximately?

22 A Not too far from Northwest 7th Avenue, near
23 6th street.

24 Q That area has changed a lot, hasn't it?

25 A It has.

1 Q And how has it changed?

2 A Gentrification. Gentrification and
3 affordability and just, you know, families just been
4 displaced.

5 Q Has it changed the racial makeup of those
6 parts of Overtown?

7 A To a certain percentage, yes.

8 Q What other areas do you think should be
9 included within District 5?

10 A There's a historic church, Trinity CME on
11 5th Street.

12 Q That's near the courthouse?

13 A 511 Northwest 5th Street that should be.

14 Q Oh, Trinity. Okay. What other parts should
15 be included or what other parts of Miami should be
16 included in District 5?

17 A Of the City of Miami?

18 Q Yeah. So let me make the question clear.
19 It wasn't pretty. So you just talked about how you think
20 Overtown should be included within District 5, correct?

21 A Yes.

22 Q Are there other neighborhoods that you think
23 should be included in District 5?

24 A The train station that I believe is there
25 now. The historic Metrorail train station. Booker T.,

1 which I believe is there now. The church sits outside of
2 District 5 and it's historic.

3 Q Any other neighborhoods besides the Overtown
4 area that you think should be included in District 5?

5 A So that's The Swamps area, I think. I think
6 it's there now, but I think one of the maps that were
7 submitted didn't have what is called Culmer Place. They
8 had them out of it.

9 Q How about -- well, just looking at this map
10 we marked as 82-36, Plaintiff's 3, what about Liberty
11 City? Should that be included in District 5?

12 A Some of Liberty City is in District 5
13 already. Yes.

14 Q But you agree with that decision that it
15 should be in District 5?

16 A Yes.

17 Q Okay. How about little Haiti?

18 A Yes.

19 Q Little River?

20 A Yes.

21 Q Wynwood?

22 A Yes. Wynwood is Overtown.

23 Q That area has changed a lot, hasn't it?

24 A Yes.

25 Q It's gone through several iterations of

1 changes, right?

2 A Yes.

3 Q How about upper east side?

4 A Yes.

5 Q What about Morningside?

6 A Yes.

7 Q Why do you think Morningside should be
8 included in District 5?

9 A It's a part of that area.

10 Q How about downtown?

11 A Yes.

12 Q How about the MRC?

13 A Miami River --

14 Q Commission. The area of the river fronting
15 downtown; should that be included in District 5?

16 A I'm trying to understand the MRC. That's
17 the Miami -- what is that? The Miami River --

18 Q Hang on a second. So used to calling it the
19 MRC. Miami River Center?

20 A Is it the City of Miami Administration
21 Building.

22 Q Yeah. The Riverside Center. So let's go
23 back to 82-24. 82-24. So do you see the bottom yellow
24 where the yellow touches the green, the Miami River
25 running along there. Do you think that area of downtown

1 down to the river should be included in District 5?

2 A Yes.

3 Q You do understand that, you know, there
4 are -- that the population of each district needs to be
5 relatively similar in order for the map to pass muster,
6 right?

7 MS. McNAMARA: Objection to form.

8 BY MR. JOHNSON:

9 Q To your understanding?

10 A Don't know the answer.

11 Q Okay. Do you know whether districts have to
12 be approximately the same size population wise or if
13 there's any requirement?

14 A I know there's a legal requirement. I do
15 know that. I don't know what the requirement number
16 is.

17 Q But you do understand that everything can't
18 be in District 5 if it makes it too much bigger than all
19 the other districts, right? There's some limit?

20 A Yes.

21 Q And same way it can't be too small, right?

22 A Yes.

23 Q Wait. Got one more.

24 (Exhibit D-82-37 was marked for
25 identification.)

1 BY MR. JOHNSON:

2 Q I'm showing you what's been marked as
3 Defendant's 82-37, document from this case with the same
4 docket entry number titled P-4, Plaintiff's Map 4. Do
5 you recognize this map?

6 A Yes.

7 Q And what is this map?

8 A Another version submitted.

9 Q Do you know who drew this map?

10 A No.

11 Q Did you have any input in drawing this
12 map?

13 A No input.

14 Q Well, did you have any input on where the
15 lines would be or what would be included or excluded?

16 A We gave feedback.

17 Q You wanted Overtown included in District 5 I
18 assume is some of the feedback?

19 A Yes.

20 Q Do you have any objection to this map
21 removing downtown from District 5?

22 A Don't know the answer.

23 Q Okay. I'm showing you what's been marked as
24 Defendant's 24-36, a document from this case with the
25 same documentary number titled Declaration of Daniella

1 Pierre. Do you recognize this document?

2 (Exhibit Number D-24-36 was marked for
3 identification.)

4 A Yes.

5 Q Is this a declaration that you filed in this
6 case?

7 A Yes.

8 Q That's your signature on page two?

9 A Yes.

10 Q In preparing this document, did you
11 receive -- well, did you type this document? Did you
12 write it?

13 A No.

14 Q Did you review any documents before you
15 signed it?

16 A I reviewed it.

17 Q Okay. Other than this, did you look at any
18 other documents before you signed this document?

19 A Yes.

20 Q What else did you look at?

21 A It would have been some other e-mails.

22 Q I'm not going to ask you about
23 communications with your counsel?

24 A Oh, okay.

25 Q In paragraph five you say that you have

1 members in Districts 1, 2, 3 and 5. I asked you earlier
2 whether or not you checked or confirmed any of that
3 information. Sitting here today, can you testify that
4 the Miami-Dade branch of the NAACP absolutely has members
5 in all those districts?

6 A Yes.

7 Q Okay. How can you testify to that? What's
8 your basis for that?

9 A Because that's our jurisdiction.

10 Q Okay. But how do you know that actual
11 members live within each of those districts without
12 having checked it?

13 A Because that's our jurisdiction. That's our
14 jurisdiction. We have members throughout the entire
15 county. And within the area that we cover, we have
16 members there.

17 Q But I'm asking your basis for knowing that
18 you have actual people who have residential addresses in
19 each of those districts. How did you confirm that?

20 A The members attend our meeting. They come
21 to our events.

22 Q But you don't check their addresses when
23 they come to the events, right?

24 A No. We live in this community too, so we
25 have, you know, volunteers everywhere, you know,

1 neighbors, people, church people shop.

2 Q I'm going to have you look at paragraph 6
3 where you stated, "The Miami-Dade NAACP is concerned that
4 the racial gerrymander of the recently enacted City
5 Commission maps unfairly classifies residents of Miami
6 and Miami-Dade NAACP members on the basis of race."

7 What is your basis for that statement?

8 A Based on the commission meetings.

9 Q Okay. But more specifically? I mean, why
10 were you saying that in paragraph 6?

11 A It's coming from the commission meetings.

12 Q Okay. I understand. I'm just trying to be
13 very specific. I'm drilling it. So why are you making
14 that statement? How were they unfairly classifying
15 people on the basis of race?

16 A Well, it's based on what the commissioners
17 were saying.

18 Q Okay. What were they saying?

19 A It's on page one of the First Amended
20 Complaint.

21 Q Okay. Go ahead. So what were they
22 saying?

23 A Some of what they were saying is captured on
24 page one, which says, our goal here is to have an African
25 American district, a white district, three Hispanic

1 districts.

2 Q Do you think there should be an African
3 American district?

4 A There should be districts.

5 Q Do you think there should be specifically a
6 district that is designed to ensure that Black residents
7 can elect a member of their choice?

8 A There should be districts that formulate
9 fair representation where people can elect those who will
10 represent them.

11 Q Okay. Does District 5 do that?

12 A As it stands now?

13 Q Yeah.

14 A Prior to all of this, yes.

15 Q Okay. Do you think that the City should be
16 creating a district where the Black members of the City
17 can elect a candidate of their choice, specifically the
18 Black members?

19 A Can you say the question again?

20 Q Do you think that the City should have a
21 district where specifically Black residents, Black
22 residents of the City of Miami can elect a candidate of
23 their choice?

24 A I think all residents should be able to
25 elect a candidate of their choice and Black residents

1 reside throughout the City of Miami.

2 Q Does there tend to be a higher concentration
3 of Black residents in District 5?

4 A For a number of reasons.

5 Q What are they?

6 A Systemic reasons. From segregation, from
7 policies that, you know, force and -- force people into
8 slum areas, you know, affordability, a number of reasons
9 why, you know, people have continued to remain in
10 District 5.

11 District 5 also has a number of historic
12 churches where people still frequent, but, you know, a
13 lot of the public housing developments are saturated
14 through District 5. So, you know, it may not be the same
15 throughout all City of Miami, but that's the story behind
16 District 5.

17 Q Okay. Do you think District 5 should be
18 split, putting the residents of District 5 who tend to be
19 more Black for the reasons that you just said, should be
20 in two different districts or should they be in one
21 district where they can have a majority vote?

22 MS. McNAMARA: Objection to form.

23 THE WITNESS: So within the City of Miami,
24 Black people everywhere, based on policies in
25 place, some have remained in District 5 and some

1 are just forced to be where they are familiar.

2 Everyone should have an opportunity to elect, you
3 know, who they choose.

4 BY MR. JOHNSON:

5 Q I understand, but you have to draw a line,
6 right, you know?

7 A A fair line, yeah.

8 Q And looking at all these maps, right. Lay
9 them all out altogether. District 5 in all the maps is
10 pretty much generally in the same area, right?

11 MS. McNAMARA: Objection to form.

12 THE WITNESS: Looking at all the maps?

13 BY MR. JOHNSON:

14 Q The ones we just looked at today,
15 Plaintiff's 1 through 4, 2022, and Resolution 23-271.

16 A I mean, for the most part District 5, yeah.

17 Q Do you have any understanding of what the
18 percentage of the Black voting age population is in
19 District 5?

20 A It's a diverse number.

21 Q But I'm asking if you have an idea of like
22 what the percentage of Black people in District 5 is?

23 A I have an understanding.

24 Q And what is that understanding?

25 A It's a diverse understanding.

1 Q I know, but, I mean, from a numbers
2 perspective, do you have an idea of the number of the
3 percentage of District 5?

4 MS. McNAMARA: Objection to form.

5 THE WITNESS: No.

6 BY MR. JOHNSON:

7 Q Do you have an opinion of what that number
8 should be?

9 MS. McNAMARA: Objection to form.

10 THE WITNESS: I don't know the answer to
11 that.

12 BY MR. JOHNSON:

13 Q Okay. So I'm going to have you look at
14 paragraph 7 of the Declaration, which we marked as 24-36.
15 In it you wrote, "In particular, we are concerned that
16 Black residents in the north half of the city have been
17 packed into a single district -- District 5 -- thereby
18 stripping them from surrounding districts and diminishing
19 their influence in those districts." Where do you think
20 they were stripped from?

21 A The Black residents out of District 5?

22 Q Yeah.

23 A They have been always stripped out of there.
24 The highway done stripped them up. The highway stripped
25 them.

1 Q Okay. Good. If you don't mind, would you
2 mind elucidating that a little bit? I mean, I'm familiar
3 with what you're talking about, but we've got to make a
4 record. So how did the highway strip residents?

5 A I mean, resident from Overtown were stripped
6 from many, many years ago. This is not a new, you know,
7 concern. They have been stripped -- history shows us
8 that they have been stripped from --

9 Q And when you are talking about them being
10 stripped, are you talking about for example
11 gentrification --

12 A Displaced.

13 Q -- displacement? Yes. Okay.

14 I'm talking about something a little
15 different right now. Do you think that with regard to
16 the Black residents of the City of Miami that they have
17 been reassigned just in terms of voting from different
18 districts in the District 5 in order to keep them from
19 voting in those other districts?

20 A Yes.

21 Q Where do you think they were reassigned
22 to?

23 A District 1.

24 Q Okay. So where in District 1 do you think
25 that should be part of District 5?

1 A The parts of Overtown.

2 Q Are you talking about West I-95?

3 A Yes.

4 Q Okay. So do you know what the demographic
5 makeup -- and that area west of I-95.

6 A It has changed.

7 Q You are talking about west of 95 and north
8 of 836. So you are talking about west of I-95 and north
9 of 836, that area?

10 MS. McNAMARA: Objection to form.

11 BY MR. JOHNSON:

12 Q Where the two highways cross?

13 A I'm talking about, what is that? Is that
14 10th? No. 7th? I could give you the landmarks.

15 So People's, where People's is located from
16 that place.

17 Q People's Bar-B-Que?

18 A Yes.

19 Q That's down south of 836, west of I-95,
20 right?

21 A Yeah. Right off of the expressway.

22 Q And you think People's Bar-B-Que should be
23 in District 5?

24 A Yes. And then what's on that side.

25 Q Okay. How far south should it go?

1 A Seventh.

2 Q Down to seventh. Why?

3 A Because that has Culmer Place and it has
4 some public housing units over there.

5 Q Should there be anything -- so that's the
6 south part of District 1. Should any the part of the
7 north part of District 1 be in District 5?

8 MS. McNAMARA: Objection to form.

9 THE WITNESS: The north part of District 1?

10 BY MR. JOHNSON:

11 Q Yeah. Where District 1 is just south of
12 Liberty City?

13 A Oh, in that area?

14 Q Yeah.

15 A Oh. That's a good question. I would say
16 14th Place.

17 Q 14th Place, that should be the border for
18 District 1 and District 5?

19 A It should come -- yeah, it should come to
20 14th Place.

21 Q Why is that?

22 A Because we are right there. It doesn't pick
23 up 14th Place. I think it should.

24 Q Up in the north. Okay. And how about in
25 the east? Is there anything in the east that was cut out

1 of District 5 that should be District 5?

2 A I don't know the answer.

3 Q How about -- we already talked about the
4 downtown and the river front area, right? So what do you
5 think, looking again at paragraph 7 of your declaration,
6 do you have an opinion as to what the percentage of the
7 Black voters should be in any of these districts?

8 MS. McNAMARA: Objection to form.

9 THE WITNESS: No.

10 MS. McNAMARA: Objection to form and then
11 you may answer the question.

12 BY MR. JOHNSON:

13 Q So you don't have any opinion on that?

14 A No.

15 Q And that includes District 5? You don't
16 have an opinion on what the percentage of the Black
17 population or the Black voting population should be in
18 District 5, correct?

19 A Correct.

20 Q Want to take a quick break? It's up to you.
21 We don't have to.

22 MS. McNAMARA: Yeah. Let's take a break.

23 (Recess taken.)

24 BY MR. JOHNSON:

25 Q Do you know Carole Jackson?

1 A Yes.

2 Q And who's Carole Jackson?

3 A Carole Jackson is the Executive Committee
4 member the South Dade Branch.

5 Q Okay. Did she speak to the City Commission
6 February 25th, 2022, on behalf of Miami-Dade branch?

7 MS. McNAMARA: Is this question currently
8 pending?

9 MR. JOHNSON: No. Let me go ahead and
10 strike that question.

11 (Exhibit Number 24-14A was marked for
12 identification.)

13 BY MR. JOHNSON:

14 Q Showing you what's been marked as
15 Defendant's 24-14A. It's an excerpt from documents filed
16 in this case on document entry 24-14, pages 13 and 14.
17 It's titled Transcript 4-A, Miami City Commission,
18 February 25th, 2022, morning session.

19 On the bottom line they have a quote from
20 Carole Jackson and going onto page 14, she states that
21 she represents both the South Dade branch of the NAACP
22 and the Miami-Dade branch of the NAACP. Would that be
23 accurate?

24 A So there's one NAACP and as one NAACP we are
25 made up of multiple branches. Carole Jackson is an

1 elected officer of the South Dade branch and, you know,
2 she is speaking on behalf of the NAACP and because the
3 Miami-Dade branch was not in the room, uh-huh.

4 Q Okay. So she was not outside her authority
5 to do that?

6 A In this setting, no. In this.

7 Q Okay. In the last sentence beginning on
8 line 11, she says, "Therefore, we oppose any effort that
9 would dilute the Black vote within District 2, and we
10 furthermore oppose any dismantling of the Black vote in
11 District 5." I guess that's the penultimate sentence.
12 Do you see that?

13 A Yes. Yes. I see it.

14 Q Is that an accurate statement of the
15 Miami-Dade NAACP's position, that they oppose the
16 dismantling of the Black vote in District 5?

17 A Yes.

18 Q And what does that mean opposing any
19 dismantling of the Black vote?

20 A Separating the areas of District 5 and
21 District 2.

22 Q And by separating that, did she mean
23 separating the way that would reduce the Black vote in
24 District 5 and District 2?

25 A Yes.

1 Q Is it your understanding that the City
2 reduced the Black vote in District 5 or District 2?

3 A I don't know the answer.

4 Q Okay. But you would agree that they
5 shouldn't reduce the Black vote in District 5 or District
6 2, correct?

7 MS. McNAMARA: Objection to form.

8 THE WITNESS: I support the statement.

9 MS. McNAMARA: Can I ask a quick follow-up
10 question. When you say you "support the
11 statement," what statement are you referring to?

12 THE WITNESS: The statement made by Carole
13 Jackson of South Dade branch.

14 BY MR. JOHNSON:

15 Q That she opposed any dismantling or any
16 dilution of the vote in District 2 or dismantling of the
17 Black vote in District 5?

18 A Yes.

19 Q Do you understand those to be the same thing
20 or two different things, dismantling and dilution?

21 A The same.

22 Q If we were to go back -- I'm showing you
23 what's been marked as Defendants 82-22, a document from
24 this case with the same docket entry number titled 2013
25 Plan, on this document, could you take your pen and draw

1 in the borders of the West Grove, the Black West Grove as
2 you understand it?

3 (Exhibit Number 82-22 was marked for
4 identification.)

5 A No.

6 Q Could you take your pen and draw in the
7 borders of Overtown as you understand it?

8 A No.

9 Q Okay.

10 (Exhibit Number D-24-18A was marked for
11 identification.)

12 Q I'm showing you what's been marked as
13 Defendant's 24-18-A. This is a document from this case,
14 document number 24-18. It's an excerpt, just page 22,
15 titled Transcript 6, Miami City Commission, March 24,
16 2022, afternoon session.

17 Did you attend the City Commission meeting
18 on March 24th, 2022?

19 A Yes.

20 Q And did you speak on behalf of the
21 Miami-Dade branch of the NAACP?

22 A Yes.

23 Q And who's Brad Brown?

24 A Brad Brown is a former member of the
25 Miami-Dade branch and now at that time he was the

1 Secretary of the South Dade Branch.

2 Q Okay. In his statement at the bottom,
3 beginning on line 21, he says that it really looks
4 possible to be able to have a strong District 5 and keep
5 the strength of the West Grove within one Grove. Did you
6 add agree with the statement?

7 A Yes.

8 Q Okay. And what did he mean by a "strong
9 District 5?"

10 A "Strong" meaning one that has full of
11 resources, economic development. One that is fair to the
12 people and just the historic nature of that district, a
13 district that is thriving.

14 Q Would that also include not dismantling that
15 vote in District 5?

16 A From my understanding, yes.

17 Q And economically vibrant, does that mean
18 including areas that help the economy of the district,
19 such as, the south part of District 5 that includes
20 downtown areas of the River?

21 A Yes. And other policy that would help
22 strengthen the district too, any other policies.

23 Q I already asked you. I'm just going to
24 summarize. You don't have any opinions on what the
25 relative percentages of the racial population should be

1 in any of the districts, do you?

2 A A number?

3 Q Like what the relative percentages of the
4 different racial breakdowns should be in the districts?

5 A Don't know that.

6 Q You don't have any opinion on that
7 personally?

8 A No.

9 Q On behalf of the NAACP and Miami-Dade
10 County?

11 A It should be fair. It should be a fair
12 percentage.

13 Q All right. Do you have an understanding
14 that the City of Miami is majority Hispanic?

15 A What's the question?

16 Q Is the City of Miami a majority Hispanic
17 community?

18 A I think the census and other data will show
19 that the Hispanic population is leaning towards a
20 majority.

21 Q Do you have any idea how big a majority it
22 is?

23 A Not in numbers.

24 Q Do you know whether it's possible to creates
25 districts that aren't majority Hispanic?

1 A Give me the question.

2 Q Do you think it's possible to draw districts
3 in the City of Miami that would not be majority Hispanic?

4 MS. McNAMARA: Objection to form.

5 THE WITNESS: Don't know the answer.

6 BY MR. JOHNSON:

7 Q Okay. Does the City of Miami have a white
8 district or an anglo district?

9 A I mean, that's what this man said. He said
10 it. That's what his goal is. That's what his goal is.

11 Q I'm asking you if it has one?

12 A Let me see what he said.

13 Q You are looking at?

14 A First Amended -- yeah. That's what former
15 commissioner said his goal was to do. He wanted to
16 establish a white district. That's what he said he
17 wanted.

18 Q But did it work? Is there a white
19 district?

20 A Well, I would say had we not gotten
21 involved, might have been a white district.

22 Q Okay. So you are saying there is not a
23 white district?

24 A Don't know.

25 Q Currently?

1 A Don't know.

2 Q Do you know if it's possible to create a
3 majority white district?

4 A If people followed the direction of Diaz De
5 La Portilla, yes.

6 Q But, I mean, do you know if it's possible --
7 I even with what he said, do you know if it's
8 mathematically possible to draw district that would be
9 majority white?

10 A In the city of Miami?

11 Q Yeah.

12 A Apparently anything is possible over there.

13 Q I'm just wondering mathematically speaking
14 whether you know if it's possible to draw a district in
15 such a way that the majority of the people in that
16 district would be white?

17 A I mean --

18 Q I know what he said. I'm asking you for
19 your opinion?

20 A My opinion? Based on the reports and
21 allegations of what's going on in the City of Miami,
22 anything is possible. Anything is possible.

23 Q But did you ever see any numbers to support
24 that it was possible to draw a district that be would
25 majority white?

1 MS. McNAMARA: Objection to form.

2 THE WITNESS: Don't know the answer.

3 BY MR. JOHNSON:

4 Q Have you looked at demographic breakdowns
5 from any of the maps, City maps or Plaintiff's maps?

6 A I have taken a cursory look.

7 Q Okay. Do you know whether the plaintiff's
8 maps have a different ethnic breakdown or do they also
9 have three Hispanic districts, a Black district and a
10 so-called White district?

11 MS. McNAMARA: Objection to form. If you
12 know.

13 THE WITNESS: Don't know the answer.

14 (Exhibit Number 1 was marked for
15 identification.)

16 BY MR. JOHNSON:

17 Q Showing you what's been marked as defendants
18 Exhibit 1. It's a document in this case titled
19 Defendant's Notice of Taking 30(b)(6) Deposition of
20 Miami-Dade Branch of the NAACP. Have you seen this
21 document before?

22 A Yes.

23 Q And is this the Notice of Deposition for
24 this case?

25 A Yes.

1 Q If I could get you to turn to Schedule A,
2 page four. Are you the designated 30(b)(6)
3 representative for all the topics on this list?

4 A Yes.

5 Q What did you do to prepare to testify about
6 all of these topics?

7 A Had a meeting with our counsel.

8 Q Okay. I'm not going to ask you about what
9 you discussed with counsel. Did you do anything else to
10 prepare for this deposition to testify about these
11 topics?

12 A Just did some recalling of earlier
13 information.

14 Q All right. So take, for example, Topic 10,
15 "The supporting facts pertaining to Plaintiffs'
16 allegations concerning the Commission's overriding goal
17 in crafting the 2023 Plan was to separate Hispanic, Black
18 and Anglo voters as much as possible into 'their'
19 respective districts." What are the supporting facts for
20 that statement?

21 A The facts for that statement are outlined in
22 the Complaint.

23 Q Okay. I'm asking you for your understanding
24 of what those supporting facts are?

25 A Uh-huh. Yeah. I have an understanding.

1 Q And what is that?

2 A Based the discussion of the commissioners.

3 Q Did you look at any of the demographic
4 numbers to see whether or not they did separate Hispanic,
5 Blacks and Anglos as much as possible into their
6 respective districts?

7 A Did I look at the numbers?

8 Q Yeah.

9 A To see if the Commission did that?

10 Q Yeah.

11 A No.

12 Q Okay. So look at paragraph 11, "The alleged
13 racial impacts of the changes made by the 2023 Enacted
14 Plan." Were there any racial impacts made by the 2023
15 Enacted Plan?

16 A Don't know the answer.

17 Q Okay. Paragraph 12, "The changes made in
18 the Enacted Plan do not comport with race-neutral
19 traditional redistricting principles."

20 Do the changes made in the Enacted Plan
21 comport with race-neutral traditional redistricting
22 principles?

23 A Don't know the answer.

24 Q Paragraph 13, do you know whether the
25 changes proposed in the four proposed redistricting plans

1 proffered by Plaintiffs in this litigation that reflect
2 conformity with race-neutral traditional redistricting
3 principles?

4 A Don't know the answer.

5 Q Look at paragraph 6 where it talks about
6 what the Miami-Dade NAACP considers improper racial
7 considerations for redistricting. Do you think it's ever
8 appropriate to consider race when drawing districts?

9 A No.

10 Q All right. How can you, for example,
11 protect the historic Black Grove from being split from
12 the rest of the Grove if you don't consider that those
13 are the Black residents being stripped? Don't you have
14 to consider the race to prevent them from being
15 stripped?

16 A Race isn't the only factor. Yeah.

17 Q But it is one of them, right?

18 A It's been used.

19 Q I'm saying -- all right. So let's talk
20 about District 5, for example. Remember we talked about
21 the request not to dismantle the Black vote in District
22 5.

23 A Yes.

24 Q That's a request to specifically consider
25 the Black voting population in order to make sure it's

1 not being dismantled, right?

2 A So race is not the only factor that is being
3 preserved in District 5. There are historic sites and
4 areas that are also important to the people and the story
5 of District 5.

6 Q But you said also important. So race is one
7 of the things that's important in considering District 5;
8 isn't it?

9 A Not solely, but it's a factor that has been
10 used.

11 Q But isn't it okay to consider race when
12 you are doing some of these decisions in order to protect
13 those communities sometimes?

14 A It's okay to consider the people. The
15 people.

16 Q Let's go back to your declaration.

17 A Which exhibit is that?

18 Q It is 24-36. You see paragraph 7?

19 A Uh-huh.

20 Q So you are specifically stating in paragraph
21 7 that you are concerned about Black residents being
22 packed into District 5 and Black residents being stripped
23 from the other districts, right?

24 A Yes.

25 Q The consideration you are raising there is

1 race, right?

2 A Yes.

3 Q And it's appropriate to consider to prevent
4 that race from being packed or from being stripped from
5 districts, isn't it?

6 A No, not solely.

7 Q But, I mean, it is one of the considerations
8 and that's the one you are raising right there, isn't
9 it?

10 A What was the question?

11 Q So we are talking about as a consideration
12 and whether or not it's appropriate under some
13 circumstances, right? In this circumstance, you are
14 raising in paragraph 7, you are raising race as a
15 consideration, correct?

16 A As a concern.

17 Q And it's appropriate to raise it -- excuse
18 me. It's appropriate to raise it as a concern in the
19 manner that you are doing in paragraph 7, isn't it?

20 MS. McNAMARA: Objection to form.

21 BY MR. JOHNSON:

22 Q Are you reconsidering paragraph 7?

23 A No. I'm going to say you asked and I
24 already answered.

25 Q Okay. I'm not sure that -- and sometimes

1 this happens in a deposition. The witness thinks they
2 answered the question and the lawyer is not quite
3 satisfied since the witness left some wiggle room and I
4 will re-ask the question. It's not meant to be
5 disrespectful, but I have to do my job too.

6 So with regard to paragraph 7, we already
7 established that you are considering race in paragraph 7,
8 right?

9 A We are concerned.

10 Q And in order to address the concern about
11 whether Black residents are being packed or stripped, you
12 have to be aware of the race, don't you?

13 A We have to be aware of the people that are
14 being impacted.

15 Q But specifically the race of those people,
16 correct? I mean, that's what you're pointing out. Are
17 you pointing out any other characteristics?

18 A Yeah. We are pointing out characteristics
19 of residents in the north half of the City.

20 Q Which residents? The Black residents,
21 right?

22 A The Black residents.

23 Q So is it okay then in some circumstances to
24 consider race when you are making these redistricting
25 decisions?

1 A Not the way Portilla is saying though.

2 Q Okay. So going back to where we left off
3 when I was asking about the schedule topics.

4 MS. McNAMARA: That's referring to Defense
5 Exhibit 1 again?

6 MR. JOHNSON: Yes. Defense Exhibit 1,
7 paragraph 6.

8 THE WITNESS: Oh, boy.

9 BY MR. JOHNSON:

10 Q So, I mean, you are raising a racial
11 consideration in paragraph 7 of your declaration, so I'm
12 asking with regard to Topic 6 what the Miami-Dade NAACP
13 would consider to be an improper racial consideration in
14 redistricting?

15 A I already answered that one.

16 Q Okay. You said any consideration of race
17 was improper. Are you still sticking to that, being that
18 you raised a consideration in your own declaration?
19 You are right, you did answer. I'm just checking to see
20 if you still agree with that answer.

21 MS. McNAMARA: Object to the form.

22 THE WITNESS: Next question.

23 BY MR. JOHNSON:

24 Q Do you still agree with that answer?

25 A I already answered it. You are asking me

1 again?

2 Q So you consider, notwithstanding your
3 paragraph 7, any consideration of race is improper?

4 A Did I answer that question already?

5 Q I'm asking if you are saying any --
6 confirming your answer. You are saying any consideration
7 of race is improper?

8 A My answer hasn't changed.

9 Q Okay. Does the Miami-Dade NAACP mission
10 itself consider race as its mission statement?

11 A That we eradicate racial discrimination.

12 Q And achieve equity and equality of rights
13 for Black people and all persons of color?

14 A Yes.

15 Q And that's a consideration of?

16 A Based on how we have been treated for over
17 400 years, yeah.

18 Q And should a City Commissions --

19 A We didn't just make up that mission. We are
20 not just out here doing that because we want to do it.

21 Q Should a City Commission also be considering
22 those things?

23 A That's not their mission.

24 Q So you're saying when they are drafting
25 districts, when they are redistricting -- all right. You

1 know, you already answered that. You said they shouldn't
2 consider it at all. Okay.

3 MS. McNAMARA: So there's currently no
4 question pending, correct?

5 MR. JOHNSON: That's correct.

6 (Exhibit Number D-82-12 was marked for
7 identification.)

8 BY MR. JOHNSON:

9 Q I'm going to showing you what's been marked
10 as Defendant's 82-12. It's a document from this case of
11 the same Bates number, but it's an excerpt containing
12 pages 14 through 16. Series of demographic tables. Have
13 you seen this document before?

14 A Who's the source?

15 Q This is Caroline Abbott's appendices to her
16 expert opinion, Dr. Abbott?

17 A No, I haven't seen it.

18 Q Are you familiar with who Dr. Abbott is?

19 A No.

20 Q Do you know whether or not the plaintiff's
21 filed any expert reports in this case?

22 A Don't know.

23 MR. JOHNSON: No further questions.

24 MS. McNAMARA: We will take a caucus for a
25 minute and evaluate if we have any questions.

1 (Recess taken.)

2 CROSS-EXAMINATION

3 BY MS. McNAMARA:

4 Q Ms. Pierre, I have a few questions for you
5 to follow-up.

6 Is the Coconut Grove area within the
7 jurisdiction of the Miami-Dade branch of the NAACP?

8 A No.

9 Q Whose jurisdiction is it within the NAACP?

10 A South Dade branch.

11 Q Does the Miami-Dade branch communicate with
12 the South Dade branch about issues that pertain to the
13 City of Miami?

14 A Yes.

15 Q Do you stay in your own lane? Like, by that
16 I mean, the part that's in the Miami-Dade branch
17 jurisdiction, that you only pay attention to that, and
18 the South Dade only pays attention to the area that's in
19 their part?

20 A Yes.

21 Q Has it always been that way over the history
22 of, let's say, the last 30 years in Miami?

23 A The last 30 years?

24 Q Of the NAACP in Miami?

25 A Originally the NAACP had five branches and

1 they were consolidated in the 80's to have just one,
2 which for the last 30 years it was Miami-Dade. And 2019
3 the South Dade branch was rechartered.

4 Q Is there any particular catalyst or reason
5 why you rechartered the South Dade branch?

6 A A number of reasons. Many of the members
7 from the South Dade part of Miami-Dade County would have
8 to travel so far for our branch meetings in Miami Gardens
9 and a number of our executive leadership is they reside
10 in North Miami-Dade. So we didn't have enough
11 representation of leadership in the South area, and
12 because of that South Dade branch was authorized to be
13 rechartered in 2019.

14 Q As the President of the Miami-Dade Branch of
15 the NAACP, do you know members of your branch
16 personally?

17 A Yes.

18 Q Do you have first name basis recognition
19 with members of your branch?

20 A First name basis, yes.

21 Q Do you know personally a member of the
22 Miami-Dade branch of the NAACP who lives in Liberty
23 City?

24 A Yes.

25 Q Is Liberty City in District 5?

1 A Yes.

2 Q Do you know any members personally of the
3 Miami-Dade branch of the NAACP who live in Little
4 Haiti?

5 A Yes.

6 Q Is Little Haiti in District 5?

7 A Yes.

8 Q Same question, do you know any members
9 personally of the Miami-Dade NAACP who live in
10 Allapattah?

11 A Yes.

12 Q Is Allapattah in District 1?

13 A Yes.

14 Q Do you know any members of the Miami-Dade
15 NAACP who live in Morningside?

16 A Yes.

17 Q Is Morningside in District 2 in the current
18 2023 enacted map? This is the 2023. That would be, the
19 map is Exhibit D-82-24, Resolution 23-271. I will
20 withdraw the pending question and I will rephrase it.

21 Do you know any members of the Miami-Dade
22 NAACP that live in Edgewater or Morningside area?

23 A Yes.

24 Q Are those members who live in the Edgewater
25 or Morningside area, do they live in District 2?

1 A Yes.

2 Q Do you know personally any members of the
3 Miami-Dade NAACP who live in Little Havana?

4 A Yes.

5 Q Is Little Havana within District 3 of the
6 map that we are looking at, the 2023 map?

7 A Yes.

8 Q Why does the Miami-Dade NAACP not claim to
9 have members in District 4?

10 A Outside of the jurisdiction.

11 Q Is that because it's generally south of
12 Flagler?

13 A Yes.

14 Q Is that within the South Dade NAACP then?

15 A Yes.

16 Q Do you personally know members of the South
17 Dade NAACP?

18 A Yes.

19 Q Do you know members of the South Dade NAACP
20 that live in District 4?

21 A Yes.

22 Q Now, let's pull out the map that's labeled
23 P-1. That is Defense Exhibit 82-34. Do you have it?

24 A Oh, yes.

25 Q Now, when you look at this map, did you have

1 any input into this map before it was made public?

2 A Yes.

3 Q When you were questioned earlier, were you
4 confused about that? Did you remember whether you had
5 looked at that beforehand?

6 A Yes.

7 Q And you are now confident that the
8 Miami-Dade NAACP provided input into Plaintiff's Map
9 Number 1 before it was made public?

10 A Yes.

11 Q Can you pull out the Plaintiff's Map 2.
12 It's 82-35. Did you, as the Miami-Dade NAACP, give any
13 input into the design of plaintiff's Map 2 prior to it
14 becoming public?

15 A Yes. Feedback was given.

16 Q Now, I'm going to pull out Plaintiff's Map
17 3, which is Exhibit 82-36. Did you attend the mediation
18 that was held between the parties in June of 2023?

19 A Yes.

20 Q Following the mediation, was there
21 discussion about revising Plaintiff's Map 1 and
22 Plaintiff's Map 2?

23 A Yes.

24 Q Is Plaintiff's Map 3 the result of that
25 discussion?

1 A Yes.

2 Q Did the Miami-Dade branch of the NAACP
3 contribute to that discussion before Plaintiff's Map 3
4 was made public?

5 A Yes.

6 Q Now, plaintiff's Map 4, which is defense
7 Exhibit 82-37, did the Miami-Dade NAACP have --
8 contribute to the creation or providing feedback to
9 Plaintiff's Map 4 before it was made public?

10 A Yes. Feedback was provided.

11 Q Do you think it's ever appropriate under any
12 circumstance -- I will withdraw.

13 Is there any circumstance under which you
14 think it's appropriate for race to be considered in the
15 drawing of districts?

16 A Can you repeat the question?

17 Q Is there any circumstance at all, setting
18 aside the question of whether you might generally not
19 want to consider race, are there any circumstances in
20 which it could be proper to consider raise in the drawing
21 of districts?

22 A I guess established by the Voting Rights
23 Act.

24 Q Do you have expertise in compliance with the
25 Voting Rights Act as the Miami-Dade NAACP Chapter

1 President?

2 A No.

3 Q Who do you think bears the responsibility of
4 complying with the Voting Rights Act when drawing
5 district maps?

6 A Those attorneys and those -- yeah, attorneys
7 and elected officials. Constitutional officers, I
8 guess.

9 Q Does the Miami City Commission have a duty
10 to comply with the Voting Rights Act when it's drawing
11 commission districts?

12 A Yes.

13 MS. McNAMARA: I have no further questions.

14 REDIRECT EXAMINATION

15 BY MR. JOHNSON:

16 Q I have a little redirect.

17 So you were asked about people you know
18 personally by name who live in Liberty City and you said
19 yes?

20 A Yes.

21 Q Who is that person?

22 A We don't share our membership list.

23 Q Okay. You just testified that there was
24 such a person?

25 A There is.

1 Q And now you are saying you are not going to
2 tell me who it is?

3 A The name?

4 Q Yeah.

5 A The NAACP doesn't provide a roster of
6 membership. We don't do that.

7 Q I'm not asking to provide a roster. I'm
8 just asking you to tell me the name of the person you are
9 referring to in your testimony in response to the
10 question provided by your counsel?

11 A Yeah. We don't share.

12 Q You are refusing to answer that question?

13 A I'm not refusing to answer the question, but
14 based on practices of the NAACP we don't share names of
15 who our members are.

16 Q Okay. That is a refusal to answer the
17 question, and if that's your answer, that's fine, but I
18 need to know. Are you telling me you are not going to
19 answer the name of the person that you are identifying in
20 your previous answer to your counsel?

21 A I'm not going to answer the question?

22 Q That's what I'm asking you.

23 A I'm going to answer the question.

24 Q What's the name?

25 A An NAACP member.

1 Q That's not a name. Are you going to tell me
2 the name of the person, yes or no?

3 A No.

4 Q Okay. How about the person in Little Haiti
5 you referred to?

6 A No.

7 Q How about the person in Allapattah you
8 referred to?

9 A No.

10 Q How about the person in Morningside you
11 referred to?

12 A No.

13 Q Or Edgewater?

14 A No.

15 Q Little Havana?

16 A No.

17 Q So you won't give me the name of any of the
18 people you are referring to?

19 A The NAACP does not divulge the names of
20 their members.

21 Q I asked you about these maps, Plaintiff's
22 one through four, earlier and then we took a little
23 break, right?

24 A That's correct.

25 Q And you met with your counsel for about ten

1 minutes, right?

2 A Uh-huh.

3 Q And now you came back and now you're
4 answering questions about plaintiff's maps one to four
5 and your answers changed, didn't it?

6 A Slightly, yes.

7 Q So you said with regard to map one that you
8 were confused about whether or not you provided feedback
9 to map one. What was the basis of your confusion?

10 A I just personally didn't have enough clarity
11 at the time.

12 Q How did you clear your confusion up?

13 A Recalling a meeting that we held with
14 counsel prior to the maps being published.

15 Q Okay. So what was your input that you
16 provided with regard to map one? Let's go back to
17 plaintiff's map one, which is marked as Defendant's
18 82-34.

19 MS. McNAMARA: Objection. Based on
20 privilege, I'm instructing the witness not to
21 answer that question.

22 BY MR. JOHNSON:

23 Q So you testified that you did provide
24 feedback, right?

25 A Yes.

1 Q But you are instructing her not to say what
2 the feedback was?

3 MS. McNAMARA: Yeah. My instruction is you
4 should not share information you provided directly
5 to counsel for the purpose of the representation
6 in this case.

7 BY MR. JOHNSON:

8 Q All right. Did you personally provide the
9 feedback?

10 A Yes.

11 Q And did you personally make changes to any
12 of the lines in map one?

13 A No.

14 Q Okay. So in terms of feedback, do you mean
15 approval or disapproval?

16 A That's part of it. That was part of it.

17 Q Okay. Same question with regard to
18 Plaintiff's Map 2. Were you confused earlier and how did
19 you clear up your confusion as to whether you provided
20 feedback?

21 A Recall meetings held with counsel.

22 Q Was that the same meeting with regard to map
23 one?

24 A Yes.

25 Q And what feedback did you provide?

1 MS. McNAMARA: Objection. Based on
2 privilege, I instruct the witness not to answer
3 any information you provided to counsel for the
4 purpose of representation and obtaining relief in
5 this litigation.

6 BY MR. JOHNSON:

7 Q Did you make any specific changes to
8 plaintiff's map two?

9 A No.

10 Q Do you know if anyone at the NAACP of
11 Miami-Dade County made specific changes to plaintiff's
12 maps one or two?

13 A Do I answer?

14 MS. McNAMARA: The question?

15 BY MR. JOHNSON:

16 Q I'm not asking what the change is. I'm
17 asking if anyone else from the Miami-Dade branch of the
18 NAACP made specific changes to map one or two?

19 A We provided feedback.

20 Q But did you make any specific changes to any
21 lines?

22 A On the map, no. No.

23 Q With regard to plaintiff's map three, you
24 testified that you had a discussion about revising the
25 map, correct?

1 A Yes.

2 Q What was that discussion?

3 MS. McNAMARA: Objection. Basis on
4 privilege. I'm instruct the witness not to answer
5 and the materials related to conversations with
6 counsel related to representation in this case.

7 BY MR. JOHNSON:

8 Q Did you ever have any conversations with
9 anyone other than counsel about plaintiff's maps one and
10 two?

11 A No.

12 Q Did you ever talk to anyone about the fact
13 that plaintiff's maps one and two left Overtown out of
14 District 5?

15 A Yes.

16 Q Did you discuss that with anyone except
17 counsel?

18 A It was community conversations.

19 Q Okay. What was the community
20 conversation?

21 A Concern about the maps presented left
22 Overtown out of District 5.

23 Q And when you say the "community," more
24 specifically what would that be?

25 A The people?

1 Q Yeah. Like, how did you get the community
2 feedback? What was the context?

3 A By phone calls out in the community.

4 Q So you were getting feedback from members
5 that were calling in and saying why is District 5 left
6 out?

7 A Yes.

8 Q Is that a problem that it was left out?

9 A Yes.

10 Q Okay. How about with regards to this
11 Plaintiff's Map 3, did the community feel like this
12 adequately included Overtown?

13 MS. McNAMARA: And this is specifically
14 about Plaintiff's Map 3, Exhibit 82-36?

15 MR. JOHNSON: Yes.

16 THE WITNESS: It was a little better than
17 the first ones.

18 BY MR. JOHNSON:

19 Q But there was still some push back on this
20 one?

21 A Yes.

22 Q And Plaintiff's Map 4 in part designed to
23 address that Overtown issue.

24 A What's the question.

25 Q Do you have Plaintiff's Map 4?

1 A Yes.

2 Q Is that designed in part to address that
3 Overtown issue?

4 A Yes.

5 MS. McNAMARA: And this question, that's
6 based on the knowledge of the Miami-Dade NAACP.

7 THE WITNESS: Yes.

8 BY MR. JOHNSON:

9 Q And did the NAACP provide the of what
10 Overtown was?

11 A We provided feedback based on community
12 voices.

13 Q Okay. Did everyone in the community agree
14 on what the exact borders of Overtown are or did people
15 have different opinions?

16 A Different opinions.

17 Q Because it's not an incorporated area,
18 right? It's just a neighborhood?

19 A Correct.

20 Q And the neighborhood borders are a little
21 nebulous sometimes, aren't they?

22 A Yes.

23 Q You were asked about whether or not it's
24 ever appropriate to consider race and we discussed that
25 quite a bit, didn't we?

1 A We did. Asked and answered.

2 Q And then your counsel came and asked you
3 about it again, right?

4 A We had a brief review.

5 Q And you said it's appropriate if it's
6 established by the Voting Rights Act. What is your
7 understanding about what the Voting Rights Act
8 established?

9 A Well, I mean, that's a legal policy that's
10 been in place since the 60's that has to be renewed, but
11 I'm not an attorney, so I don't really know the full
12 dynamics of it. But it's something that must be adhered
13 to.

14 Q Is it fair to say that you personally don't
15 have any knowledge of what it requires or when it has to
16 be adhered to or what the circumstances are?

17 A Since I'm not an attorney, I'm going to say
18 I don't know.

19 Q Do you have any idea what percentages it may
20 require or not require of a particular demographic?

21 A No.

22 Q Okay. You said who's -- you were asked who
23 was responsible to ensure a map complied with the Voting
24 Rights Act and you said "attorneys." Which attorneys?

25 A Those representing the City or putting

1 together the maps on their behalf.

2 Q Okay. And the elected officials, right?

3 A Yes.

4 Q Anyone else?

5 A No.

6 MR. JOHNSON: No further questions.

7 MS. McNAMARA: And I have one other
8 follow-up.

9 MR. JOHNSON: Okay.

10 RECROSS-EXAMINATION

11 BY MS. McNAMARA:

12 Q I mean, on the questions about when I asked
13 you if you know a person individually who lives in
14 Liberty City, for example. Is that because you know
15 exactly one person or is it because you know a number of
16 people and many of them live in Liberty City?

17 A I know people.

18 Q Do you need to talk to someone, specifically
19 ask them what their address is to know that they live in
20 Liberty City? Someone you know personally?

21 A Someone I know personally? What's the
22 question?

23 Q You testified earlier that you have personal
24 knowledge of members, at least one member of the
25 Miami-Dade NAACP who lives in Liberty City. Do you have

1 to go and check any data bases or addresses in order to
2 have that knowledge?

3 A No.

4 Q How do you know who lives in Liberty City?

5 A A resident of Miami-Dade County. I visit.
6 I have been living here for 30 plus years. We have
7 meetings in Liberty City. People reach out to us from
8 Liberty City. For many years we had a branch in Liberty
9 City. We have roots in Liberty City. We are Liberty
10 City.

11 Q What about Allapattah? Do you feel the same
12 way about that area of Miami?

13 A Same way as well. We have roots in
14 Allapattah. We have roots all throughout Miami-Dade
15 County.

16 Q So let's say -- let's say that one member,
17 one verified member of the Miami-Dade NAACP walked into
18 here right now and they gave you their address and it was
19 in Liberty City and then we erased that person and they
20 were no longer a member of the Miami-Dade NAACP. Would
21 you be able to find a second person to replace them as
22 also another person to come in and say, I live in Liberty
23 City and I'm a member of the Miami-Dade NAACP?

24 A Yes.

25 Q How long would it take you? Let's say that

1 you decided you wanted to call someone who lived in
2 Liberty City who is a member of the Miami-Dade NAACP.
3 How long would it take you to find a phone number to call
4 them? Just doesn't have to be any specific random
5 person. Just, I need you to call someone who's a member
6 that lives in Liberty City right now, like, without
7 actually doing it. How hard would it be? How much time
8 would it take you to figure out someone who would fit in
9 that category?

10 A Within five minutes.

11 Q Is that also true for people who live in
12 Allapattah?

13 A Yes.

14 Q Is that also true for people who live in
15 Little Havana?

16 A Yes.

17 Q Is that also true for people who live in
18 Edgewater?

19 A Yes.

20 Q Does that change year to year? Like, let's
21 say three years ago you could do it, but now you don't.

22 A It could change because if a person is an
23 annual member, then they may not still be active, but we
24 have annual members and life members throughout the
25 districts you just referenced. And whether they are a

1 member or not, you know, I still have that relationship,
2 so....

3 MS. McNAMARA: I have nothing further.

4 MR. JOHNSON: You are sure because I'm going
5 to redirect again.

6 MS. McNAMARA: I mean, pending what you ask,
7 I might follow up more.

8 MR. JOHNSON: That's actually improper. I
9 will let you do it once, but, I mean, finish your
10 questioning because I'm going to redirect from
11 what you asked. This is your chance to ask the
12 witness your questions.

13 MS. McNAMARA: Okay. I mean, we can take
14 turns.

15 MR. JOHNSON: No, we can't take turns
16 indefinitely. That's not how this is supposed to
17 work. It's direct, cross, redirect. Are you
18 done?

19 MS. McNAMARA: I mean, it depends.

20 MR. JOHNSON: Well, I'm going to object to
21 you asking anymore questions. You opened up new
22 areas in the areas that you should have covered
23 that had nothing to do with me to asking the name.
24 So let's go back.

25 MS. McNAMARA: What obligations do I have to

1 cover in this deposition? Explain them to me.

2 MR. JOHNSON: You have an obligation to
3 comply with trial conditions, which means, you
4 have to perform this deposition like it was at
5 trial.

6 MS. McNAMARA: What is your legal basis for
7 that statement?

8 MR. JOHNSON: All right. We can disagree on
9 that. I'm just telling you I'm objecting to you
10 asking anymore further questions. I'm going to
11 ask some redirect now based on what you just did.

12 MS. McNAMARA: Go ahead.

13 REDIRECT EXAMINATION

14 BY MR. JOHNSON:

15 Q You were asked about whether or not you get
16 people to come in and say I'm from Liberty City or I'm
17 from Little Haiti or I'm from Allapattah, right, by the
18 your counsel?

19 A That I can get people to say that?

20 Q Yes. That you can bring in a member whose
21 from that area, you were asked that question by your
22 counsel, right?

23 A Yes.

24 Q And you said yes, right?

25 A Yes.

1 Q Are you planning to bring in witnesses on
2 behalf of the Miami-Dade branch of the NAACP to say they
3 live in these different districts?

4 A Don't know.

5 Q Are you going to tell me the identity of
6 these people you were thinking of when you were
7 responding to your counsel's questions?

8 A No.

9 Q When people come to meetings, we already
10 established you don't check their residence, right? You
11 have a meeting in Liberty City, you don't check the
12 residence to see where they live, right?

13 A Right.

14 Q And people do travel to meetings, don't
15 they?

16 A Yes.

17 Q All right. And same with regard to little
18 Haiti and Allapattah and Morningside and Edgewater and
19 Little Havana. You don't check their residency when they
20 come to a meeting, do you?

21 A Right.

22 MR. JOHNSON: No further questions.

23 MS. McNAMARA: Nothing further.

24 THE COURT REPORTER: Does she read or waive?

25 MR. WARREN: Read.

1 THE COURT REPORTER: Will you be ordering?

2 MR. JOHNSON: Yes. Absolutely.

3 THE COURT REPORTER: Any copies?

4 MR. WARREN: Yes. Thank you.

5 (Whereupon, the deposition was concluded at

6 11:44 a.m.)

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CERTIFICATE OF OATH

STATE OF FLORIDA :

COUNTY OF MIAMI-DADE :

I, Ivette Oviedo, Shorthand Reporter and Notary Public, State of Florida, certify that, DANIELLA PIERRE, appeared before me via on the 5th of October, 2023, and was duly sworn.

WITNESS my hand and official seal this 23rd day of October, 2023.



Ivette Oviedo, RPR# 961103

Notary Public, State of Florida at Large:

Commission No.: HH 356470

Expiration date: March 7, 2027

CERTIFICATE

STATE OF FLORIDA :
: SS.
COUNTY OF MIAMI-DADE :

I, IVETTE OVIEDO, RPR certify that I was authorized to and did stenographically report the deposition of DANIELLA PIERRE in the above-entitled cause; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated at Miami-Dade County, Florida, this 23rd day of October, 2023.



Ivette Oviedo, RPR# 961103

VERITEXT LEGAL SOLUTIONS
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Miami, Florida 33131
(305) 376-8800

October 23, 2023

DANIELLA PIERRE

Attn: Caroline McNamara

c/o cmcnamara@aclufl.org

RE: GRACE, INC., et al., v. CITY OF MIAMI,

DEPO OF: DANIELLA PIERRE

TAKEN: 10-5-2023

JOB #: 6121394

Dear DANIELLA PIERRE:

The above-referenced transcript is available for review.

You should read the testimony to verify its accuracy. If there are any changes, you should note those with the reason on the attached Errata Sheet.

You should, please, date and sign the Errata Sheet and e-mail to the deposing attorney as well as to Veritext at Transcripts-fl@veritext.com and copies will be emailed to all ordering parties

It is suggested that the completed errata be returned 30 days from receipt of testimony, as considered reasonable under Federal rules*, however, there is no Florida statute to this regard.

If you fail to do so, the transcript may be used as if signed.

Yours,

Veritext Legal Solutions

* Federal Civil Procedure Rule 30(e)/Florida Civil Procedure Rule 1.310(e).

GRACE, INC., et al., vs. CITY OF MIAMI,
10-5-2023 DEPOSITION OF DANIELLA PIERRE
Job No. FLA6121394

E R R A T A S H E E T

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Under penalties of perjury, I declare that I have read
the foregoing document and that the facts stated in it
are true.

DANIELLA PIERRE

Date

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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